



Patent Application  
Attorney Docket No.26869 US

DAE  
JW

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner of Patents, Alexandria, VA 22313-1450 on this 18th day of February, 2005.

By

(Signature of person mailing)

Andrea E. Dorigo

Reg. No. 47,532

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Jeffrey W. Corbett et al. :

APPLICATION NO.: 10/731,565 : Examiner:

FILING DATE: December 9, 2003 : Group Art Unit:

TITLE: TREATMENT OF DISEASES WITH :  
COMBINATION OF ALPHA 7  
NICOTINIC ACETYLCHOLINE  
RECEPTOR AGONISTS AND OTHER  
COMPOUNDS

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED  
APPLICATION UNDER 37 C.F.R. §1.137(b)

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Notice to File Missing Parts of March 15, 2004 plus any extensions of time actually obtained.

Applicants hereby petition for revival of this application. A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply; and
- (3) Statement that the entire delay was unintentional.

USERS\DOCS\LA21952\LP\AED\564P01\DOC/242161

02/25/2005 HALI11 - 00000010 161445 10731565

01 FC:1453 1500.00 DA

The petition fee is the fee for other than a small entity under 37 CFR § 1.17(m). The Commissioner is hereby authorized to charge this fee to Deposit Account No. 16-1445.

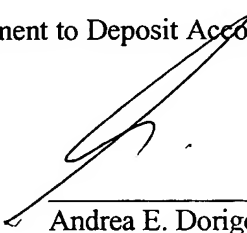
A Declaration and Power of Attorney by the inventors, in response to the Notice to File Missing Parts, is enclosed herewith.

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

Finally, applicants hereby state that the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR § 1.137(b) was unintentional.

The Commissioner is hereby authorized to charge any fees required under 37 C.F.R. §§1.16 and 1.17 or to credit any overpayment to Deposit Account No. 16-1445. Two copies of this paper are enclosed.

Date: February 18, 2005

  
\_\_\_\_\_  
Andrea E. Dorigo  
Attorney for Applicant(s)  
Reg. No. 47,532

Pfizer Inc  
Patent Department  
150 East 42nd Street – 5<sup>th</sup> Floor  
New York, NY 10017-5755  
(212) 733-1898

The petition fee is the fee for other than a small entity under 37 CFR § 1.17(m). The Commissioner is hereby authorized to charge this fee to Deposit Account No. 16-1445.

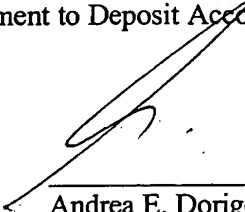
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Attorney for Applicant(s)  
Reg. No. 47,532

Pfizer Inc  
Patent Department  
150 East 42nd Street – 5<sup>th</sup> Floor  
New York, NY 10017-5755  
(212) 733-1898

AED - NY



FEB 24 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/731,565	12/09/2003	Jeffrey W. Corbett	00387.US1

PC 26869

CONFIRMATION NO. 6357

ABANDONMENT/TERMINATION  
LETTER

\*OC000000014686615\*

25533  
 PHARMACIA & UPJOHN  
 301 HENRIETTA ST  
 0228-32-LAW  
 KALAMAZOO, MI 49007

RECEIVED

DEC 15 2004

RESPONSE DUE

1-7-05

PHARMACIA  
 GLOBAL INTELLECTUAL PROPERTY

Date Mailed: 12/07/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/15/2004.

- No reply was received.


A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice MUST be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/731,565	12/09/2003	Jeffrey W. Corbett	00387.US1

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 PHARMACIA & UPJOHN  
 301 HENRIETTA ST  
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CONFIRMATION NO. 6357

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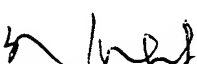
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Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

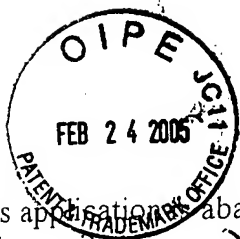
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*A copy of this notice **MUST** be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 3/15/04

### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within **2 months** from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.

Customer Service Center

Initial Patent Examination Division (703) 308-1202



Fees pursuant to the Consolidated Patent Laws Act, 2005 (H.R. 4818)

# FEE TRANSMITTAL for FY 2005

## Complete if Known

Application Number	10/731,565
Filing Date	December 9, 2003
First Named Inventor	Jeffrey W. Corbett
Examiner Name	

☐ Applicant claims small status. See 37 CFR 1.27

Art Unit

Total Amount of Payment (\$)

1,630.00

Attorney Docket No.

PC26869

## METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_
- ☒ Deposit Account: Deposit Account number 16-1445 Deposit Account Name Pfizer Inc  
For the above identified deposit account, the Director is authorized to: (check all that apply)
- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
- ☒ Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.1.6 and 1.17 ☒ Credit any overpayments

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

## FEE CALCULATION

### 1. BASIC FILING FEE

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees paid
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP=	x	=
HP= highest number of total claims paid for, if greater than 20		

Indep. Claims - 3 or HP= Extra Claims Fee (\$) = Fee Paid (\$)

HP= highest number of total claims paid for, if greater than 3

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	- 100=	Extra Sheets	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fees Paid (\$)
		/50		(round up to a whole number)			
				x			=

### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other : Late Filing Surcharge; Petition To Revive Unintentionally Abandoned Application

Fees Paid (\$)

1,630.00

### Submitted

Name (Printed/Type)	Andrea E. Dorio	Registration No.	47,532	Telephone	(212) 733-1898
Signature		(Attorney Agent)			

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file ( and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and /or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-pto-9199 and select option 2.



## Application Data Sheet

### Application Information

Application Number:: 10/731,565  
Filing Date:: December 9, 2003  
Application Type:: Regular  
Subject Matter:: Utility  
Title:: TREATMENT OF DISEASES WITH COMBINATIONS OF ALPHA 7  
NICOTINIC ACETYLCHOLINE RECEPTOR AGONISTS AND  
OTHER COMPOUNDS  
Attorney Docket Number:: PC26869

### Inventor Information

Inventor Authority Type:: INVENTOR  
Primary Citizenship Country:: US  
Given Name:: Jeffrey W.  
Family Name:: Corbett  
City of Residence:: Niantic  
State or Prov of Residence:: Connecticut  
Country of Residence:: USA  
Street:: 96 South Beechwood Road  
City:: Niantic  
State or Province:: Connecticut  
Postal or Zip Code:: 06357  
Inventor Authority Type:: INVENTOR  
Primary Citizenship Country:: US  
Given Name:: Vincent E.  
Family Name:: Groppi  
Suffix:: Jr.  
City of Residence:: Kalamazoo  
State or Prov of Residence:: Michigan  
Country of Residence:: USA  
Street:: 318 Sprague Avenue  
City:: Kalamazoo  
State or Province:: Michigan  
Postal or Zip Code:: 49006



**Correspondence Information**

Correspondence Customer Number:: 23913

**Representative Information**

Representative Customer Number:: 23913

**Assignee Information**

Assignee Name:: Pfizer Inc

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN  
APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/731,565, filed on December 9, 2003 (and Preliminary Amendment, if applicable),
- ☐ as amended on \_\_\_\_\_ if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

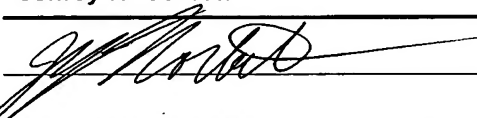
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

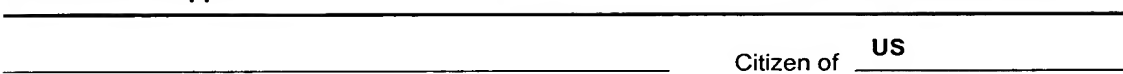
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon;

**Full Name of Inventor(s)**Inventor 1 **Jeffrey W. Corbett**

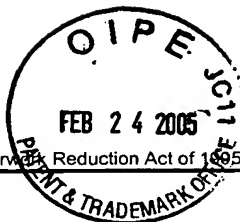
Signature

Citizen of **US**Inventor 2 **Vincent E. Groppi Jr.**

Signature

Citizen of **US**☐ Additional inventors are being named on

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/731,565
Filing Date	December 9, 2003
First Named Inventor	Jeffrey W. Corbett
Title	TREATMENT OF DISEASES WITH COMBINATIONS OF ALPHA 7 NICOTINIC ACETYLCHOLINE RECEPTOR AGONISTS AND OTHER COMPOUNDS
Art Unit	
Examiner Name	
Attorney Docket Number	PC26869

I hereby appoint:



Practitioners at Customer Number

23913

OR



Practitioners named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:



The above-mentioned Customer Number.

OR



The address associated with Customer Number

OR

Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:



Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name

Jeffrey W. Corbett

Signature

Date

13 January 2005

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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This declaration is directed to:

☐

The attached application, or

☒

Application No. 10/731,565, filed on December 9, 2003 (and Preliminary Amendment, if applicable),

☐

as amended on \_\_\_\_\_ if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon;

**Full Name of Inventor(s)**

Inventor 1

Jeffrey W. Corbett

Signature

Citizen of US

Inventor 2

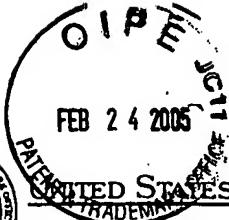
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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25533  
 PHARMACIA & UPJOHN  
 301 HENRIETTA ST  
 0228-32-LAW  
 KALAMAZOO, MI 49007

CONFIRMATION NO. 6357

## FORMALITIES LETTER



\*OC000000012098024\*

Date Mailed: 03/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/25/2005 HAL111 00000010 161445 10731565

FILED UNDER 37 CFR 1.53(b)

02 FC:1051 130.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

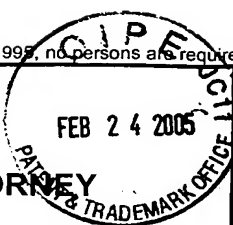
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



# **POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM**

Application Number	10/731,565
Filing Date	December 9, 2003
First Named Inventor	Jeffrey W. Corbett
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Art Unit	
Examiner Name	
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## **SIGNATURE of Applicant or Assignee of Record**

Name

Vincent E. Groppi Jr.

Signature

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

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